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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOV 03 2005

In re the Application of: TERRELS

Attorney Docket No. 0156-P02889US01

Application No. 10/632,778

Group Art Unit: 3679

Filed: 08/01/2003

Examiner: MacArthur, Victor

For: POST AND RAILING CONSTRUCTION

Confirmation No: 3091

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted on **NOVEMBER 3, 2005** by facsimile to **571-273-8300** addressed to the COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

Joan Rodgers
Typed Name of Person Mailing Paper

Joan Rodgers
Signature of Person Transmitting Paper

Computation of Additional Fee for Amendment

[x] No Additional Fee is required. In the event there is a charge, the Commissioner is authorized to charge the appropriate fee to the deposit account of the undersigned attorneys, **Deposit Account No. 04-1406**. A duplicate copy of this sheet is enclosed.

The fee has been calculated as shown below:

CLAIMS AS AMENDED				*SMALL ENTITY		OTHER THAN A SMALL ENTITY	
FOR	CLAIMS AFTER AMDT.	CLAIMS PAID FOR	NUMBER EXTRA	RATE	FEE	RATE	FEE
EFFECTIVE TOTAL CLAIMS	21	22	0	\$ 25		\$ 50	
IND. CLAIMS	5	5	0	100		200	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS?				180		360	
PETITION FEE FOR EXTENSION						\$	
				TOTAL		TOTAL	\$

DANN, DORFMAN, HERRELL AND SKILLMAN
A Professional Corporation

By

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SN 10/632,778
Art Unit: 3679

1

RESPONSE

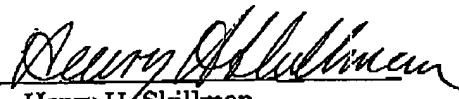
In response to the Official Communication dated October 19, 2005, Applicant hereby elects with traverse claims directed to the invention of Group I, namely claims 1-11 and 21-23.

It is requested that the Examiner reconsider his requirement for restriction inasmuch as the claims of Group II are drawn to a subcombination of the structure defined in claim 23. It is noted that the combination defined in claim 23 requires that the bracket comprise a plurality of flexible spring sheets in the socket, the spring sheets being biased inwardly toward the longitudinal axis of the socket and imparting inward pressure on the railing. Thus, the combination defined in claim 23 requires a bracket as defined in claim 15 and claims 15-20 and 24 may properly be examined along with the elected claims.

Favorable reconsideration is respectfully requested.

Respectfully submitted,

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